

Ordinance No.: 17-37
Zoning Text Amendment No.: 13-02
Concerning: Central Business District
Zones – Self Storage
Draft No. & Date: 1 – 4/30/13
Introduced: April 30, 2013
Public Hearing: June 18, 2013
Adopted: September 24, 2013
Effective: October 14, 2013

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

By: Councilmember Berliner

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- allow a self storage facility in certain CBD zones under certain circumstances

By amending the following sections of the Montgomery County Zoning Ordinance,
Chapter 59 of the Montgomery County Code:

DIVISION 59-C-6. “CENTRAL BUSINESS DISTRICT ZONES.”
Section 59-C-6.22. “Land Uses.”

EXPLANATION: ***Boldface** indicates a Heading or a defined term.*
Underlining indicates text that is added to existing law by the original text amendment.
[Single boldface brackets] indicate text that is deleted from existing law by original text amendment.
Double underlining indicates text that is added to the text amendment by amendment.
[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.
** * * indicates existing law unaffected by the text amendment.*

OPINION

Zoning Text Amendment (ZTA) 13-02, sponsored by Councilmember Berliner, was introduced on April 30, 2013.

This ZTA would allow the construction of a self storage facility in the CBD-1 zone in a standard method of development building, under certain circumstances. Under ZTA 13-02, an allowable self storage facility must:

- 1) be in a basement or cellar of a building used for other purposes;
- 2) have on-site loading and unloading facilities;
- 3) have doors for individual storage units in the interior of the building; and
- 3) have limited signage.

The Planning Board recommended approval of ZTA 13-02 with an amendment to add the phrase “as an accessory use” in a new footnote to §59-C-6.22. In the Board’s opinion, allowing a self storage facility to locate in a basement or cellar could provide a valuable resource for residents of surrounding apartment buildings, while complementing a number of the objectives of the central business district. Planning Staff recommended approval of ZTA 13-02 without amendment. In the opinion of Planning Staff, the circumstances under which self storage would be allowed would not impede street level development for other uses in the building.

The Council conducted a public hearing on June 18, 2013 to receive testimony concerning the proposed text amendment. A representative of the Pebblebrooke Hotel Trust spoke in favor of approval. There is no testimony in the record opposing ZTA 13-02.

The text amendment was referred to the Planning, Housing, and Economic Development Committee for review and recommendation.

The Planning, Housing, and Economic Development Committee held a worksession to review the amendment on September 9, 2013 and recommended approval of ZTA 13-02 as introduced.

The District Council reviewed Zoning Text Amendment No. 13-02 at a worksession held on September 24, 2013 and agreed with the recommendations of the Planning, Housing, and Economic Development Committee.

For these reasons, and because to approve this amendment will assist in the coordinated, comprehensive, adjusted and systematic development of the Maryland-Washington Regional District located in Montgomery County, Zoning Text Amendment No. 13-02 will be approved as introduced.

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

Sec. 1. DIVISION 59-C-6 is amended as follows:**DIVISION 59-C-6. CENTRAL BUSINESS DISTRICT ZONES.**

* * *

59-C-6.22. Land uses.

No use is allowed except as indicated in the following table:

-Permitted Uses. The letter "P" in the appropriate column indicates the zones in which each use is permitted, subject to all applicable regulations under the standard or the optional method of development, indicated by the letters "S" and "O," respectively.

* * *

	CBD-0.5		CBD-R1		CBD-1		CBD-2		CBD-3		CBD-R2	
	S	O	S	O	S	O	S	O	S	O	S	O
(e) Services.												
* * *												
Respite care home.	P	P	P	P	P	P	P	P	P	P	P	P
Self storage.					P*	P ²⁶						
Shoe repair shops.	P	P		P	P	P	P	P	P	P	P	P
* * *												

* * *

*** Allowed only:**

- (a) in a basement or cellar of a building used for other purposes;
- (b) with the provision of on-site loading and unloading facilities;
- (c) with doors for individual storage units in the interior of the building;
and
- (d) if signage is limited to a wall sign under §59-F-4.2(b)(2) and the maximum area of the sign is 40 square feet.

* * *

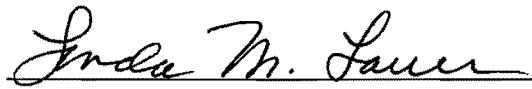
21 **Sec. 2. Effective date.** This ordinance becomes effective 20 days after the
22 date of Council adoption.

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24 This is a correct copy of Council action.

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Linda M. Lauer, Clerk of the Council